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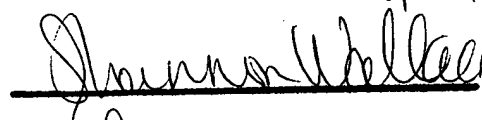
Attorney Docket 0553-0396

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of )  
)  
Shuhei YOSHITOMI et al. )  
)  
Serial No.: 10/766,170 )  
)  
Filed: January 27, 2004 )  
)  
For: Light Emitting Element And )  
Manufacturing Method Thereof )  
)  
Art Unit: 2818 )  
)  
Examiner: Thanh T. Nguyen )

**I hereby certify that this correspondence is  
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**Date: September 28, 2005**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**ELECTION**


Sir:

In response to the Restriction Requirement of August 30, 2005, Applicants elect to prosecute Species I in the above-identified application and believe that Claims 1-5 read thereon. Applicants are making this election without disclaimer or prejudice to later filing a divisional application on the non-elected claims/species.

If any fee should be due for this response, please charge our deposit account 50/1039.

Respectfully submitted,

Date: September 28, 2005

  
Mark J. Murphy  
Registration No. 34,225

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